

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

DISH NETWORK L.L.C.,

Plaintiff,

Civil Action No. 12 Civ. 4155 (LTS) (KNF)

v.

AMERICAN BROADCASTING
COMPANIES, INC., CBS CORPORATION,
the FOX ENTERTAINMENT GROUP, INC.,
FOX TELEVISION HOLDINGS, INC., FOX
CABLE NETWORK SERVICES, L.L.C., and
NBCUNIVERSAL MEDIA, L.L.C.,

Defendants.

DECLARATION OF LURA BURTON

LURA BURTON, pursuant to 28 U.S.C. § 1746, declares under penalty of perjury, as follows:

1. I am Vice President and Assistant Secretary of CBS Broadcasting Inc., CBS Studios Inc., and CBS Survivor Productions, Inc. (the entity that holds an ownership interest in Survivor Productions, LLC), all of which are ultimately owned by CBS Corporation, the only CBS entity that is a defendant in this action. I have held these respective positions for several years. My offices are located at 4200 Radford Avenue, Studio City, California. The following facts are based upon my personal knowledge, my review of corporate books and records, inquiry of appropriate personnel, and other public documents or documents obtained from third parties, and, if called and sworn as a witness, I could and would competently testify thereto.

2. CBS Corporation is the parent of a large number of companies that create

and/or distribute content across a variety of platforms, including cable, publishing, radio, local television, motion picture, outdoor advertising and online and mobile media. CBS Corporation does not hold the registered copyrights in any primetime broadcast television programming. Conversely, CBS Studios Inc., CBS Broadcasting Inc., and Survivor Productions, LLC are registered copyright holders in primetime programming that airs on the CBS Television Network.

3. CBS Broadcasting Inc. owns and operates the CBS Television Network, one of the four major commercial television broadcast networks in the United States. The CBS Television Network is comprised of 16 owned and operated television stations and approximately 200 affiliated stations throughout the United States. All of these stations broadcast television programming over the airwaves free of charge. CBS Broadcasting Inc. also owns the copyright in sports, entertainment, and news programming that is broadcast over the CBS Television Network, including the primetime television news program *60 Minutes* and the entertainment series *CSI: Miami*, *CSI: NY*, and *CSI: Crime Scene Investigation*.

4. CBS Broadcasting Inc. is not a party to any contract with Dish Network LLC (“Dish”) regarding the retransmission of free, over the air broadcast television programming.

5. CBS Studios Inc. is the copyright owner of *NCIS*, *NCIS: Los Angeles*, *Blue Bloods*, *The Good Wife*, and other primetime CBS programming, much of which is produced in the Los Angeles area.

6. CBS Studios Inc. is not a party to any contract with Dish regarding the retransmission of free, over the air broadcast television programming.

7. Survivor Productions, LLC is a Delaware limited liability company with its

principal place of business in California. Survivor Productions, LLC produces and owns the copyright in the prime time television show *Survivor*.

8. Survivor Productions, LLC is not a party to any contract with Dish regarding the retransmission of free, over the air broadcast television programming.

9. As part of my job responsibilities, I oversee members of the CBS Law Department in Los Angeles who are responsible for the filing, issuance, maintenance, storage, and retrieval of copyright registrations and applications for copyright registration for the television series *CSI: Crime Scene Investigation*, *CSI: Miami*, *CSI: NY*, and *Survivor*. CBS also employs an outside vendor in Los Angeles called the Youngblood Group to register copyrights for the shows *Blue Bloods*, *NCIS*, *NCIS: Los Angeles*, and *The Good Wife*. The offices of the Youngblood Group are located at 640 North Sepulveda Boulevard, Los Angeles, California. The Youngblood Group keeps me, or those in my department working with me, apprised of the status of the registrations it handles, maintains the certificates of registration issued by the Copyright Office, and causes those certificates to be made available to the CBS Law Department when and as needed.

[Continued on the next page]

10. Attached hereto collectively as Ex.1 are true and correct copies of the following certificates of copyright registration that the CBS Law Department in Los Angeles received from the U.S. Copyright Office after we filed or caused to be filed applications for copyright registration for the works identified below:

Certificate No. and Work	Owner
PA 1-768-102 (for <i>Blue Bloods, Black and Blue</i>)	CBS Studios Inc.
PA 1-768-012 (for <i>Blue Bloods, Lonely Hearts Club</i>)	CBS Studios Inc.
PA 1-768-219 (for <i>The Good Wife, Get A Room</i>)	CBS Studios Inc.
PA 1-778-988 (for <i>NCIS, Secrets</i>)	CBS Studios Inc.
PA 1-768-118 (for <i>NCIS: Los Angeles, Greed</i>)	CBS Studios Inc.
PA 1-768-452 (for <i>NCIS, Engaged Part I</i>)	CBS Studios Inc.
PA 1-768-447 (for <i>NCIS, Engaged Part 2</i>)	CBS Studios Inc.
PA 1-766-133 (for <i>CSI: Miami, By the Book</i>)	CBS Broadcasting Inc.
1-759-640 (for <i>CSI: NY, Officer Involved</i>)	CBS Broadcasting Inc.
PA 1-771-490 (for <i>CSI: Crime Scene Investigation, Genetic Disorder</i>)	CBS Broadcasting Inc.
PA 1-765-824 (for <i>CSI: NY, Air Apparent</i>)	CBS Broadcasting Inc.

11. On May 22, 2012, a CBS Law Department employee filed with the Copyright Office, on behalf of CBS Broadcasting Inc., an application for copyright registration for the work *60 Minutes: May 13, 2012*, together with the required filing fee and copy of the work to be registered. A true and correct copy of this application is attached hereto as Ex. 2.

12. On May 24, 2012, a CBS Law Department employee filed with the Copyright Office, on behalf of Survivor Productions LLC, an application for copyright registration for the work *Survivor: One World, Perception Is Not Always Reality*, together with the required

filng fee and copy of the work to be registered. The Copyright Office has advised that the work has been registered and received Registration No. PA0001787956 and the certificate has been sent to CBS although we have not yet received it. Attached hereto collectively as Ex. 3 are a true and correct copy of the registration application for this work and a true and correct copy of the registration information for this work that has been posted on the website of the Copyright Office.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 7, 2012
Los Angeles, California


LURA BURTON